

Department  
of the  
Treasury

Internal  
Revenue  
Service

Office of  
Chief Counsel

# Notice

CC-2008-005

December 10, 2007

**Subject:** Work Flow Task Force

**Cancel Date:** 12/10/2008

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## Purpose

This notice advises Chief Counsel employees of the findings and recommendations of the Work Flow Task Force. The notice also advises employees of the Office's plans to work toward implementation of task force recommendations.

## Background

The Associate Offices provide critical legal services to the IRS, the public, other federal agencies, and the Field component of the Office of Chief Counsel. In May 2007, the Chief Counsel convened the Work Flow Task Force to study the processes and procedures used throughout the National Office technical tax functions of the Office of Chief Counsel. The mission of the Task Force was to identify improvements in process and procedure that can lead to a better experience for all of our attorneys and that will, in turn, increase the Office's capacity to produce high quality technical products. The Chief Counsel charged the task force with interviewing a wide cross-section of personnel in the Office and consulting with a group of external tax experts who previously worked in the Office of Chief Counsel and/or the Office of Tax Policy at the Treasury Department and now manage tax professionals in the private sector. In October 2007, the Task Force submitted its report (copy attached) to the Chief Counsel.

## Chief Counsel's Response and Implementation Statement

The Work Flow Task Force pursued detailed input from attorneys in the Office on how its processes and procedures might be improved. The Task Force pursued a thorough process for gathering information, and the recommendations respond to the information received. Furthermore, with the benefit of input from the external tax experts and with the insights gathered from talking to a significant cross-section of attorneys, the Task Force has compiled recommendations that are practical and that recognize the importance of developing and supporting the legal and managerial talent that the Office has in good supply. The Chief Counsel believes that implementation of these recommendations will improve the experience of all of our attorneys.

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The Chief Counsel is directing that the Office take the appropriate steps during the next eight months to implement the recommendations, giving priority to the four key recommendations. The Deputy Chief Counsel (Operations) and the Deputy Chief Counsel (Technical) are being given responsibility for overseeing this process.

Questions concerning this Notice may be directed to the Office of the Associate Chief Counsel (Finance & Management).

/s/  
Dustin M. Starbuck  
for the Associate Chief Counsel  
(Finance & Management)

## **Report of the Work Flow Task Force**

### **I. Formation of the Task Force**

#### **a. Mission of the Task Force**

The Chief Counsel convened the Work Flow Task Force ("Task Force") to study the processes and procedures used throughout the National Office technical tax functions of the Office of Chief Counsel. The mission of the Task Force is to identify improvements in process and procedure that can lead to a better experience for all of our attorneys and that will in turn increase the Office's capacity to produce high quality technical products. The Chief Counsel charged the task force with interviewing a wide cross-section of personnel in the Office and consulting with a group of external tax experts who previously worked in the Office of Chief Counsel and/or the Office of Tax Policy at the Treasury Department and now manage tax professionals in the private sector. The Chief Counsel asked the Task Force to distill its recommendations after gathering information in this fashion.

#### **b. Membership of the Task Force**

The Task Force is composed of managers from the Associate Offices of the Office of Chief Counsel one of whom is acting on a long-term basis as an executive, one attorney-advisor from the Office of Tax Policy who is a former Counsel attorney and manager, and one executive who is charged with leading the Task Force. The members represent the National Office technical organizations within the scope of the Task Force's mission and have a wide variety of backgrounds, experiences, and time within Counsel. The members of the Task Force are as follows:

- Catherine Livingston, Deputy Division Counsel/Deputy Associate Chief Counsel, CC:TEGE
- Alice Bennett, Branch Chief, CC:FIP:B3
- Lewis Brickates, Branch Chief, CC:CORP:B4
- Christine Ellison, Branch Chief, CC:PSI:B3
- Richard Fultz, Acting Deputy Associate Chief Counsel, CC:INTL
- Richard Goldstein, Special Counsel, CC:PA
- Jeffery Mitchell, Branch Chief, CC:ITA:B6
- Mark Smith, Attorney-Advisor, Office of Tax Policy

Three professionals from Finance and Management provided extensive support to the Task Force. They are:

- Cristina Aiken, Management Analyst, CC:FM
- Susan Kron, Management Analyst, CC:FM
- Jessica Vesey, Federal Career Intern, CC:FM

#### **c. External Tax Experts**

The Task Force sought the expertise of a highly qualified group of individuals with prior

experience at the IRS or the Treasury Department.<sup>1</sup> This group consists of a diverse selection of experienced tax professionals including former Chief Counsels, former Commissioners, and former IRS and Treasury executives. These individuals have assumed positions of leadership in the private sector tax field and were asked to provide assistance based on both their government and private sector experience. They are as follows:

- Glenn Carrington, National Tax Director for Client Services, Ernst & Young LLP
- Rick D'Avino, VP, GE Capital and NBC International, General Electric Company
- Fred Goldberg, Partner, Skadden, Arps, Slate, Meagher & Flom LLP
- Susan Hotine, Partner, Scribner, Hall & Thompson LLP
- Emily Parker, Partner, Thompson & Knight
- Charles Rossotti, Senior Advisor, The Carlyle Group
- Abraham "Hap" Shashy, Partner, Dewey Ballantine LLP
- Clint Stretch, Principal, Deloitte Tax LLP

## **II. Information Gathering Process**

Between the beginning of May and the middle of July, 2007, the Task Force gathered information from interviews and other contacts with a broad cross section of attorneys, managers and executives in the Associate Offices and in the Office of Tax Policy. NTEU was given an opportunity to provide input as well. The Task Force also consulted with the external tax experts on multiple occasions.

## **III. Themes and Recommendations**

The Task Force has distilled several themes that ran across many of the interviews. In response to those themes and the areas they highlight as needing improvement, the Task Force has identified four key areas where practices and procedures need improvement. In each category, the Task Force has one key recommendation and several additional recommendations. In addition to the recommendations, adoption of some best practices may improve work flow in the Associate Offices. Some examples are attached to the report.

### **Themes**

The Office of Chief Counsel is a great place to work. Attorneys, managers and executives all expressed high satisfaction with the work-life balance offered by the Office. Reasonable hours, a reliable schedule and interesting work were all cited as reasons why attorneys choose to work in the Office and also the main reasons for retention. In light of the difference between private and public sector compensation scales, the reasonable and reliable schedule is often a key aspect of what makes the Office attractive. Whatever changes may be considered, attorneys care greatly that the work/life balance be preserved.

In addition, attorneys generally believe their views are taken into account in resolving legal questions. The Task Force's work revealed that notwithstanding the respect for attorney input shown up the chain in the Office, the majority of attorneys receive explicit recognition for their

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<sup>1</sup> The external tax experts were asked to provide their advice on an individual basis and were not asked to provide advice as a group nor to reach any consensus.

effort and technical prowess mainly from their first line managers and would enjoy more recognition from their front offices and the Chief Counsel's office.

Importance of First Line Managers. First line managers who are committed to the development and work of the attorneys they manage have a crucial impact on the experience of the attorneys who work for them. In selecting, training, and developing managers, it is important to recognize that management skills are distinct from technical skills. Strong first-line managers need both sets of skills. To that end, good management practices should be recognized, shared, and fostered.

Attorneys generally believe that much of their success and job satisfaction derives from quality managers. We found that training new managers is critically important, and we emphasize the need to provide continuing training opportunities for experienced managers so that they can further develop their capacity for leadership in the Office.

Communication throughout the Office of Chief Counsel can be improved. As in almost all large organizations, the quality and the quantity of effective communication can be improved. Particular emphasis should be given to how management communicates expectations for particular work assignments as well as expectations for performance in general. Attorneys would appreciate additional information on what types of experience, work habits, and assignments would be most likely to provide advancement opportunities.

Communication could also be improved among attorneys working together on projects, or coordinating projects and tasks between branches or Associate offices.

In our view, multiple factors create challenges for effective communication including, but not limited to the increased use of email in lieu of meetings or telephone conversations, as well as organizational changes that may have rearranged informal networks among attorneys that they used to find and consult experts in certain subject matter. The task force's recommendations will address communications needs in more depth.

Professional Service Culture. The Office needs to reinforce a strong uniform culture of professional service that views success as providing the party (i.e., IRS personnel, taxpayers, tax practitioners, others in Counsel, Treasury staff, Congressional staff, staff at other agencies) who asked for help with an a response in a time frame that meets the requestor's needs, ensures that the requestor understands the answer, and addresses any follow-up questions that might be generated. In addition, if appropriate, the attorney needs to explain why the answer cannot be provided in the time frame originally requested and suggest alternative time frames or approaches to the requestor's problem. The same professional service culture should apply whether help is requested by the IRS, from a taxpayer or from a colleague in the Office. Attorneys, in different Associate offices and in the Field, work best and most efficiently together to provide professional service when the attorneys treat each other with the same attention and respect that they give to clients in the IRS. Sometimes, that means different parts of the Office need to cooperate in setting realistic expectations for the IRS on timelines and help that is likely to be forthcoming. Sustaining a professional service focused culture uniformly across the Office will depend on effective communication and cooperation between organizations and result in more work being completed more efficiently and with less frustration. By focusing on professional service, getting the right answer and completing work in a timely fashion should be complementary goals, not conflicting ones. Moreover, an emphasis on professional service should be consistent with maintaining work/life balance where there is good communication

about the service that is needed, mutual agreement on a deadline, and sound management of workloads and priorities.

Greater interest in implications of tax policy and technical tax decisions. The increased public interest in tax policy and technical tax matters and greater transparency has broadened the scope of the analysis needed to complete some projects. It has meant that there is more executive and Chief Counsel involvement in some matters handled historically at the branch level and increased coordination with offices outside of Chief Counsel.

### **Recommendations**

The members of the task force identified changes to Office practices that would address the areas identified in the major themes where there is room for improvement, while honoring the essential work-life balance that is essential to the office. Many recommendations can be implemented on the branch or Associate level. Others are Counsel-wide recommendations. We are highlighting the key recommendations to help set priorities. Additional recommendations and examples of best practices can be found following the primary recommendations.

#### **Improvements to Communications**

**Key Recommendation:** Promote best practices for communication in several specific ways:

- (1) The Office should circulate a list of best practices for effective communication. Examples are attached;
- (2) Representatives of the Task Force should meet with executives and managers in each Associate office specifically to discuss best practices and various tools available to help implement them;
- (3) The Office should include training in the effective use of email in the 2008 Counsel wide CLE. The training should take into account the handling of email in light of potential FOIA and discovery requests; and
- (4) The executives and managers should lead by example, making it a priority to focus on how they are communicating in the Office.

#### ***Additional Recommendations***

- (1) Provide tools on the CC Intranet Home Page that can be used to facilitate access to contact information for all IRS and Counsel personnel.
- (2) Where an Associate Office assigns a particular code section or subject matter to multiple branches or lists "branch contact" in the Code and Subject Matter directory, provide a phone number that will be answered live so that callers from the field or other Associate offices can be sure the call has been received, can flag urgent matters appropriately, and can have a name to use for a second call if there is a problem with a follow-up call.

#### **Broadening Experience of Attorneys**

**Key Recommendation:** Make greater use of details among the Associate offices, particularly for attorneys who have successfully completed the first few years of their Chief Counsel

careers. The substantial majority of attorneys, managers and executives contacted stated that greater use of details would be beneficial to the Office. Further, in the interviews, we asked interviewees to elaborate on their thoughts regarding details. Attorneys and managers generally stated that details for less seasoned attorneys would serve to broaden their exposure to tax law and help to make attorneys more effective. The younger attorneys wished to have more experience to complement their knowledge in their chosen specialty. Interest was expressed in details of 6-12 months to give enough time to really learn something about a new area and complete some projects.

### ***Additional Recommendations***

(1) Provide training tools to support and reinforce the skills that branch managers are teaching to new attorneys and refresh experienced attorneys on skills they may use infrequently or areas where procedures may have changed. We recommend a combination of modular on-line and instructor-led training that is updated appropriately. These modules should focus on practical tasks that attorneys need to do in the Office like prepare a TAM or PLR, prepare a significant case work plan, conduct a FOIA search, or prepare a CCA in connection with a case under examination. Modules would allow attorneys to brush up on subjects depending on a work assignment. We recommend that serious consideration be given to asking Senior Counsel to prepare the modules, given their expertise in technical subjects and Office procedures. All training modules on procedures should include check sheets so that attorneys have something to consult when they need to apply the learning to their work, and an individual should be responsible for keeping the check sheet current for the Office. Although the CCDM describes the procedures to follow, it can be out of date and is less useful than a check sheet for verifying that all steps have been completed.

(2) Offer regularly, for new attorneys, programs with basic information specific to the Office's tax work like the life cycle of an examination, the refund process, and the jurisdiction of the different operating divisions. A "nuts and bolts" program was offered in the past that could serve as a model for this type of training.

(3) Develop courses in legal writing specific to the products prepared by the Associate offices, e.g., published guidance, legal advice memoranda, and briefing memoranda. Offer these courses regularly and promote them throughout the Office. Assign attorneys to take them as appropriate. Both managers and docket attorneys requested additional legal writing training specific to the work of the Office.

(4) Explore mentoring for new attorneys. We learned that while written procedures and check sheets are helpful, there is no substitute for a person who can be consulted, can confirm whether an attorney is understanding the procedures correctly, can provide samples, and can direct the attorney to other Office resources that may be helpful.

(5) Provide docket attorneys and junior managers with more speaking opportunities and with more training in speaking. These opportunities can include internal presentations to other attorneys in the Associate Office, briefings with attorneys and personnel outside the Associate Office, and speaking engagements before outside groups and professional conferences. In interviews, many docket attorneys expressed the desire to conduct more briefings and do more speaking, particularly about projects for which they have primary responsibility. The Office could increase opportunities for internal presentations by routinely scheduling presentations on significant new guidance that has just been released and major court decisions that have just

been issued. The attorneys who had the primary assignment on these matters could make the presentations which would be given to all attorneys and paralegals in the office.

(6) Provide opportunities for attorneys to interact with tax lawyers in the private bar by organizing Counsel Alumni events, inviting Counsel alumni to come for brown bag lunches, or similar activities. The external experts who spoke to the Task Force have expressed interest and willingness to help make these kinds of events happen.

### **Leadership Development**

**Key Recommendation:** The Work Flow Task Force finds that there is a need to train and develop new first-line managers (managers who are responsible for supervising the work of non-supervisory attorneys), while also placing equal emphasis on training and developing experienced managers. The Office should recognize excellent management skills and value them as highly as we currently value technical skills in our managers. The Task Force recommends that the Office provide a sustained commitment of resources to implementing better manager training, support and development. Support for first-line managers has been an ongoing topic of discussion amongst executives and managers in the past year. Specific recommendations that have emerged from those discussions include development of a manager desk guide; providing additional training opportunities, particularly for experienced managers; review of the methods supervisors use to communicate expectations, goals and experiences to managers; and evaluation of the mentoring program piloted for new managers.

### **Additional Recommendations**

(1) Ensure that executives in each Associate office let managers know what the SES goals are for the Associate office, and managers and executives should then discuss how the Associate office will work to meet its annual, shared goals. Executives and managers should also gather and convey client program letters and similar information about client priorities and objectives for the fiscal year. When managers then speak to docket attorneys about strategies to meet SES performance deliverables, the managers should be able to explain the Associate office's approach to the goals, and the attorneys should be able to carry out that approach when setting priorities and monitoring deadlines for their assignments.

(2) Make use of opportunities for Counsel attorneys who have shown appropriate mastery of their technical work to demonstrate leadership. For example, ask an attorney to serve as an intermediate reviewer on a project, or ask an attorney to organize and deliver something for the Office like a tracking system for a group of related cases or training on a technical topic of interest to more than one branch. In the same vein, provide more opportunities for attorneys with technical mastery and demonstrated communications skills to represent the Office in meetings with the IRS, other agencies, outside stakeholder groups and at professional conferences and speaking engagements.

### **Improvements to Procedures**

**Key Recommendation:** To improve the process for published guidance and remove the frustrations associated with constant adjustments to procedures for tracking, clearing and publishing guidance, we recommend that one, two, or three positions be created to provide support to the entire Office in publishing guidance. So that they can provide maximum support to all of the Associate offices and also support to the Chief Counsel's immediate office in tracking guidance, moving guidance swiftly, and updating guidance statistics and reports, we recommend that the positions be part of the Chief Counsel's immediate office. These



individuals would not need to be attorneys. They would be responsible for remaining current on all aspects of the procedure for preparing, clearing and publishing guidance, and for updating check sheets to be used by the entire Office. They would keep a master set of all green sheet circulations. They could compile and update statistics on published guidance. They could help generate customized reports on guidance. Each Associate office would be expected to have a designated liaison with the people in these positions who would be expected to help attorneys in the Associate office and help disseminate information from the publications managers. The individuals providing this support for published guidance would also take direction from and provide support to the technical experts in the Office who would continue to provide the expertise on technical matters such as the administrative law requirements that apply to published guidance such as the Regulatory Flexibility Act and the Paperwork Reduction Act, litigation with respect to the validity of regulations and the deference given to published guidance, and procedural requirements for producing guidance and maintaining files on guidance projects. These new positions would not replace personnel in the Bulletin unit or the Regs unit who are involved principally in assigning numbers, conforming style, and putting guidance that has been cleared for publication through the final stages of publication. Rather, the occupants of the new positions would help with the entire process from the initiation of the project to completion and post-publication reporting and statistics.

### ***Additional Recommendations***

(1) Work to create one report for use by the entire Office and Treasury that provides accurate information on the status of all guidance projects, and all the elements of information that managers, executives, the Chief Counsel and Treasury want and need to manage the published guidance program. We recommend that a small working group representing several Associate offices be composed to meet directly with the CISO systems experts and FM to create a model for the report that would meet these criteria and determine what is needed to produce the desired report.

(2) Make on-line CCDM, publications handbook, and Code and subject matter directory considerably easier to access and search. Set a goal of having the CCDM on CC Intranet be as readily searchable and user friendly as the Westlaw or Lexis versions. Also, provide a list of portions of the CCDM that are awaiting update and a contact to be reached for questions in the interim.

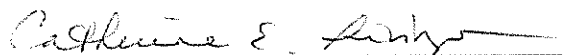
(3) Consider putting an attorney back into the process of assigning Congressionals for responses to decrease errors in assignment and to facilitate reassignment when there is an error. The short time frames for responses are making it difficult to be timely if there is an error in assignment.

(4) Provide clear direction on expected action when a piece of correspondence addressed to the Chief Counsel is sent to an Associate Office. To avoid duplication of effort and to be sure responses are prepared as appropriate, send out correspondence clearly marked as either for response by the Associate office, for response by the CC with response to be prepared by the Associate office, or FYI.

(5) Once CCDM and other materials are updated to reflect new streamlined procedures for use in the National Office when preparing materials in response to FOIA requests, consider what additional ongoing support would assist attorneys in understanding FOIA assignments and conducting appropriate searches. Help attorneys to understand why file maintenance matters.

(6) Help attorneys make better connections with experts in Counsel and at Treasury who can consult on questions of federal administrative law that affects the publication of regulations, e.g., RegFlex, Paperwork Reduction Act, interpretive versus legislative regulations. Entire Associate Offices let alone individual attorneys do not publish regulations in sufficient volume to become expert in these areas. Handling the questions that can arise in the clearance process is time consuming. We recommend that the Office build additional expertise beyond that currently available in PA and develop creative ways to provide the needed tools / reference materials to Office attorneys.

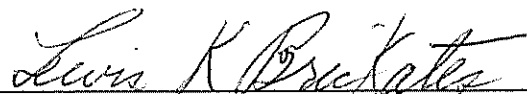
(7) Work with the Field and the Department of Justice to improve communication about docketed and non-docketed cases so that National Office attorneys can participate more effectively in the litigation process, and have their comments taken into account on a sensible timeline. National Office attorneys do not always have current information about when a case is docketed or appealed, or about briefing schedules. In the interest of reinforcing a professional service culture, we need to build a more systematic approach to sharing this information so that the technical experts in the Associate offices know about litigated cases from the outset and can be included in development of briefs from the beginning.



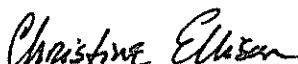
Catherine Livingston, Deputy Division Counsel/Deputy Associate Chief Counsel (Tax Exempt and Government Entities)



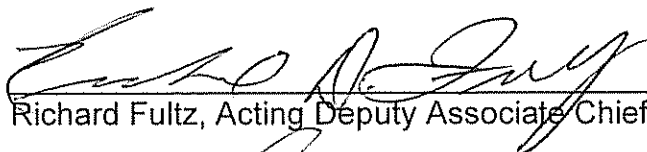
Alice Bennett, Branch Chief (Financial Institutions and Products)



Lewis Brickates, Branch Chief (Corporate)



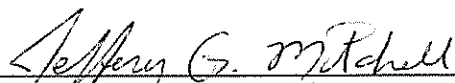
Christine Ellison, Branch Chief (Passthroughs and Special Industries)



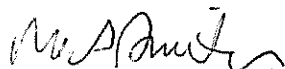
Richard Fultz, Acting Deputy Associate Chief Counsel (International)



Richard Goldstein, Special Counsel, (Procedure and Administration)



Jeffery Mitchell, Branch Chief, (Income Tax And Accounting)



Mark Smith, Attorney-Advisor (Department of the Treasury, Office of Tax Policy)

## **Best Practices for Effective Communication In the Office of Chief Counsel**

- Consider another attorney in the office who is seeking your help to be a customer. Be accessible and clear about your availability (e.g., give out direct dial phone numbers, use out of office messages on email and voice mail), be responsive, and don't consider your work done until you know that the customer has been helped, by you or by someone else better able to help.
- Discuss time frames explicitly. Be clear about the difference between deadlines driven by external forces like court filing deadlines or expiration of statutes of limitation and deadlines that follow our internal protocols for moving work in a timely fashion.
- Office leaders should work to clarify the roles, interests, and priorities of people who are working together, whether in an Associate office, a branch, or on a project. In particular, each Associate office should clarify its expectations for each of its management positions (branch chief, STR, special counsel) and communicate those expectations appropriately in the Associate office. We also recommend that all reviewers participate in reviewer training to make the review process more consistent. In our interviews, we learned that review styles vary greatly and that the length of review should vary depending upon the project, the docket attorney, and the reviewer involved, and the time frame allotted to a particular case.
- Encourage administrative staff to prepare desk books for support staff in their Associate offices to provide easy access to information about common tasks and procedures. Some Associate Offices already have them, and they should be shared. Identify secretaries in each Associate office who are experts and should be consulted when a secretary needs help with a task or procedure like preparing a travel voucher, scheduling a meeting, or preparing a final PLR package for mailing.
- Encourage National Office attorneys to make appropriate use of Outlook calendars to facilitate the scheduling of meetings, and encourage administrative staff to utilize electronic Outlook calendars for the scheduling of meetings.
- Use email effectively rather than using it as a default for all communications. Email can be a productive tool, but as an office, we must realize its limitations and the impact those limitations have on our ability to communicate well. We have recommended training on email at the office-wide CLE in the summer of 2008. However, we do not need to wait that long to start improving our use of email. Some best practices follow:

### **Email Best Practices**

- Email messages are useful for conveying information such as a meeting schedule or agenda, sharing an edited document, or working with teams in disparate time zones. They are also helpful in summarizing conversations and confirming consensus among a group.
- However, email does not allow for the back and forth necessary for understanding complex legal arguments. In addition, tone, facial expressions and body language – which can be important modes of communication, and are used more by some people than others -- are all missing from email conversations. In our interviews, we learned that newer attorneys

often use email only and never speak to field counterparts or other technical counterparts, preferring to email back and forth instead. As a result, we occasionally miss a technical observation that may have been noticed earlier if the involved attorneys spoke to each other more often. We also learned that many law firms and tax offices have adopted rules governing the use of email to improve the workflow of the office.

- Face-to-face meetings are the preferred method of communication for many transactions where the individuals are in the same location. In-person conversations help build rapport and relationships that strengthen the office and can contribute to attorney advancement. In-person conversations can also be more efficient when more than two people need to be involved in resolving an issue. Where individuals are in different locations, telephone conversations are often preferable to email. The more people that are involved in the discussion, the less effective email will be in getting issues resolved. Where email is used because schedules are an obstacle to a conversation, continue to make an effort to have a conversation as the project moves forward.
- When using email, attorneys and support staff should pay careful attention to subject lines, choice of addressees and “cc” addressees. Adding someone’s supervisor to an email if that person has not been part of the conversation originally may be viewed as a hostile way of holding someone accountable. If you are including someone so that you can represent later on that the person’s office was aware of a matter and had an opportunity for input, you need a way to ensure that that addressee understands what you are doing. Copying someone, by itself, will not accomplish that goal.
- If an email chain grows longer than three messages, an exchange is developing that may be more effective if handled by a telephone call or in-person conversation.
- Senders should not assume that all emails will be read immediately upon receipt, particularly by managers and executives who receive a heavy volume of email. Therefore, best practice for notifying someone of an assignment and a short-term deadline is a phone call or in-person conversation.
- Informative subject lines are important, again because of the volume of email people receive. We all rely on subject lines to help us know when a topic is important or time sensitive. A subject line that has just a case number or is a forward of an email that started in a different context may tell the recipient little about the email’s contents. Write subject lines to help the recipient know what is inside. Be discriminating in labeling something as urgent or time sensitive.
- Informative email text is also important. Sending someone an email with lengthy attachments labeled “fyi” is not a good substitute for a short email that extracts and relays the specific piece or pieces of information the recipient needs.
- We encourage docket attorneys to retain email chains in their case files appropriately. Either only retain one previous message on a reply, or take care to save the final message in the chain. Long email chains may have to be the subject of time-consuming review for redaction in the event that the Office receives a FOIA or discovery request to which the email is responsive.
- Do not let email run your day. Ask yourself whether you give a matter priority because it

arrived by email rather than setting priorities based on the subject matter of an item. If email is setting your priorities or distracting you, consider turning off automatic notification and download messages every 30 minutes instead of every 5 minutes. When in a meeting or call in your office, close your email so that it is not distracting.

- For those with Blackberries, set a good example. Do not read email during a meeting except in a truly urgent situation.
- If you are working on a high priority item and do not want to be disturbed, consider exiting from Outlook.
- Do not expect someone you email to respond immediately. If a conversation begins with "did you read my email?" then perhaps an email was not the best way to communicate.
- If you are delivering a final product, remember to focus on professional service. Providing the Service or a colleague in the Office with an email with an attachment as a response to a question does not let you know (a) whether the recipient in fact received the legal advice; (b) whether the recipient understood the legal advice; or (c) whether the recipient has any questions spurred by the legal advice. Email may be a good way to deliver the written product, but you may need to supplement the communication in other ways to ensure you have provided good professional service.
- Before using email to transfer a case to another office, call ahead to be sure you are sending it to the proper destination.
- Use of caps in an email is perceived as the equivalent of shouting.